IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 2407 OF 2004

Vishnu Kumar Bhaiya .. Petitioner

v/s.

State of Maharashtra & Anr. .. Respondents

M/s. Sanjay Udeshi & Co., for Petitioner.

Kamaldeep Sagar i/b Paras Kurad & Associates for Respondent No. 2.

Shri A.S. Hingouri, APP.

CORAM: S.K. SHAH, J.

DATE : 3rd May, 2006.

P.C.

What is challenged is the order of issue of process by the Magistrate. That order is revisible. Therefore the learned counsel for the petitioner seeks to withdraw the petition liberty to file the revision before the Sessions Court. The writ petition is allowed to be withdrawn with liberty to file the revision before the Sessions Court within six weeks from today. The revision if filed the Sessions Judge shall decide the same on merits. The interim order to continue for a period of six weeks.

(S. K. SHAH, J)